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**SEP 22 2009**

**OFFICE OF PETITIONS**

In re Patent No. 7,523,534

Issued: April 28, 2009

Application No. 10/605,263

Filed: September 18, 2003

Attorney Docket Number: 70254-0397

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**ON PETITION**

This is a decision on the petition, filed August 19, 2009, under 37 CFR 3.81(b)<sup>1</sup>, to correct the assignee's name on the front of the Patent.

The petition is **GRANTED**.

Petitioner states that the assignee was incorrectly identified on the Fee(s) Transmittal form PTOL-85(b) at the time of payment of the issue fee. Accordingly, petitioner requests that a certificate of correction be issued to reflect the correct name of the assignee on the front page of the Letters Patent.

37 CFR 3.81(b), effective June 25, 2004, reads:

*After payment of the issue fee:* Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

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<sup>1</sup> See Official Gazette of June 22, 2004


A request for a certification of correction was filed July 31, 2009 and was dismissed in a decision mailed August 7, 2009 since the request was not accompanied by a petition under 37 CFR 3.81 and the proper fees.

Office assignment records reflect that DART CONTAINER CORPORATION is the assignee of record. Accordingly, as the request complies with the provisions of 37 CFR 3.81(b), it would be appropriate for a certificate of correction to issue.

The petition fee and the fee for the certificate of correction have been properly applied.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3212. Any questions concerning the issuance of a certificate of correction should be directed to the Certificates of Correction Branch at (703) 305-8309.

This file is being referred to the Certificates of Correction Branch for issuance of a certificate of correction.

A handwritten signature in black ink, appearing to read "Patricia Faison-Ball". The signature is written in a cursive, flowing style.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions